

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal Action No.  
17-20183

vs.

HON. MARK A. GOLDSMITH

D-1 DARRICK DERNARD BELL,  
D-5 HAROLD LASHAWN NERO,

Defendants.

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**ORDER REGARDING IMPROPER EMAIL COMMUNICATION**

The Court's law clerk recently emailed counsel to solicit their positions on whether an opinion should be filed under seal. Counsel for Defendant Harold Lashawn Nero, Mark Magidson, sent a response email in which—in addition to stating his position on the sealing issue—he asked the Court to read a certain jury instruction when evidence is admitted at trial.

The Court has previously warned counsel that an email to the Court's staff "is not a proper vehicle to brief legal positions and arguments." 4/1/22 Order at 1 (Dkt. 782). "Such briefs should be filed on the record." Id. A request for court action must be initiated by way of motion or a request for a status conference. An attorney's response to an inquiry by the Court's clerk must confine itself to the request.

SO ORDERED.

Dated: April 11, 2022  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge